REMARKS

The Examiner is thanked for the due consideration given the application. The specification has been amended to improve the language and to supply a substitute abstract.

Claims 1-14 are pending in the application. The claims have been amended to improve their language and to better set forth the invention.

No new matter is believed to be added to the application by this amendment.

The Specification

The Official Action asserts that the item numbers set forth in the abstract are unclear. A substitute abstract has been provided that is free from item numbers.

The Official Action asserts that the term "NOP" is unclear. However, the term "NOP" means "no operation" and is a term of art that would be clear to one of ordinary skill. The specification has also been amended to better define the term "NOP".

Claim Objections

The claims have been objected to in regards to item numbers, status identifiers and the term "NOP". The claims have been appropriately amended to overcome these objections.

Rejection Under 35 USC §101

Claims 8-14 have been rejected under 35 USC §101 as being directed to non-statutory subject matter. This rejection is respectfully traversed.

The Official Action asserts that the system of claims 8-14 is not a physical thing that can be claimed. Although the position in the Official Action is not acceded to, claims 8-14 have been amended to be drawn to a system including a computer-readable medium encoded with a computer program, which clearly falls within the aegis of patentable subject matter.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejections Based on BRESLOW et al.

Claims 1, 7, 8 and 14 have been rejected under 35 USC §102(e) as being anticipated by BRESLOW et al. (U.S. Publication 2007/0058656). Claims 2-6 and 9-13 have been rejected under 35 USC §102(e) as being unpatentable over BRESLOW et al. in view of WAGNER (U.S. Publication 2003/0023388). These rejections are respectfully traversed.

BRESLOW et al. pertain to how and where to place data in data packets for transmission over a data communication network. See paragraph 0041. BRESLOW et al. describe different data packets (secondary data packets) that are received by the communication network and packed into new data packets (first data packets) formed in accordance with the transmission protocol

of the data communications network. See paragraph 0041. The primary data packets are transmitted through the communication network. The secondary data packets are then unpacked from the primary data packets. See paragraph 0041. Also, BRESLOW et al. also describe how to pack data as tightly as possible in a data packet. See Figures 12 and 13, reproduced below.

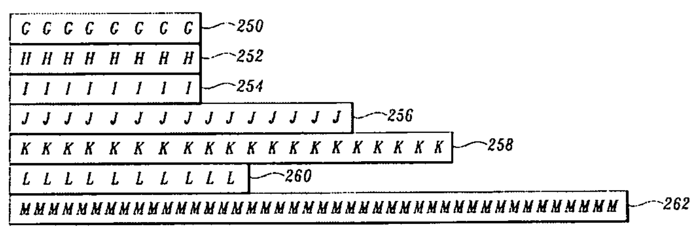


Fig. 12.

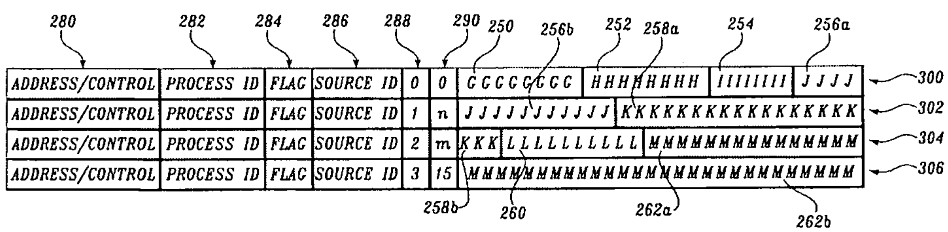


Fig. 13.

Thus, BRESLOW et al. describe how to split and allocate data packets for transmission over a communication network.

However, the present invention does not pertain to how to split and allocate the data packets.

Instead, the present invention, as it is set forth in independent claims 1 and 8, relate to how and where to place multiple sequences of a program code in an instruction memory. See page 3, lines 19–24, and page 5, lines 7-14 of corresponding

WO 03/067431. The sequences are executed by a communications network, i.e., by a processor in a communications network, on data packets passing through the communications network.

More specifically, the instruction memory comprises rows and columns. Each sequence comprises a plurality of instruction commands that occupy memory space, in the same row and in adjacent columns. Thus, each sequence is a row of machine code instruction commands that will be executed consecutively. After executing an instruction command the processor will normally execute another instruction command in the next column at the same row. See page 3, line 26 to page 4, line 3 of WO 03/067431.

For example, if a program code includes instruction commands I1, I2, and I3, and the program code is divided into the sequences S1={I1, I2}, and S2 = {I3}, the sequence S2 will be placed after the sequence S1 in the instruction memory if there is such an order dependency between S1 and S2. Thus, the processor will first execute the instruction commands I1, then the instruction command I2, and finally the instruction command I3.

Further, by means of the relocation objects defined, the processor can perform a jump to another sequence of instruction words in another row of the instructions memory. See page 4, lines 2–26 of WO 03/067431.

The present invention thereby accomplishes synchronization of program code that are dependent on each other. See page 7, lines 23–25 of WO 03/067431.

Claims 1 and 8 of the present invention are thus not anticipated by BRESLOW et al.

Also, there is nothing in BRESLOW et al. alone or in combination with WAGNER that would teach or cause a skilled and creative person in the art to modify the teaching of BRESLOW et al. in such a way to arrive at the present invention as defined by the independent claims. A *prima facie* case of unpatentability has thus not been made over BRESLOW et al. and WAGNER.

Claims depending upon claim 1 or 8 are patentable for at least the above reasons.

These rejections are believed to be overcome, and withdrawal thereof is respectfully requested.

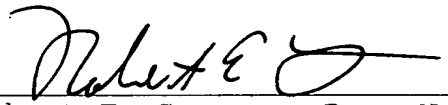
Conclusion

Objections and rejections are believed to have been overcome, obviated and rendered moot and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



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APPENDIX:

The Appendix includes the following item:

- new Abstract of the Disclosure